



Rec'd EST/PTO 26 JUN 2002

ATTORNEY DOCKET NO.: 15675P393

10/070929

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

RARES-VASILE SALOMIR, ET AL.

Application No.: 10/070,929

Filed: March 8, 2002

For: **SET FOR HEAT TREATMENT OF BIOLOGICAL  
TISSUES AND METHOD USING SAME**

Art Group:

Examiner:

Assistant Commissioner for Patents  
Attention: Box Missing Parts  
Washington, D.C. 20231

**RESPONSE TO NOTICE TO FILE MISSING PARTS**

Sir:

In response to the Notice to File Missing Parts mailed June 7, 2002, please find enclosed:

- a duly executed Declaration and Power of Attorney and payment in the amount of \$130.00 for the surcharge of 37 CFR § 1.16(e);
- and
- copy of the Notice to file Missing Parts of Application.

If any additional fee is required, please charge Deposit Account No. 02-2666. An extra copy of the Fee Transmittal is enclosed for deposit account charging purposes.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Dated: \_\_\_\_\_

6/17/02

12400 Wilshire Blvd., 7th Floor  
Los Angeles, California 90025

Eric S. Hyman, Reg. No. 30,139

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to: Assistant Commissioner for Patents, Attention: Box Missing Parts, Washington, D.C. 20231 on: .

  
Melissa Stead

6-19-02  
Date



Rec'd PCT/PTO 26 JUN 2002

10/070929

Approved for use through 10/31/2002. PTO/USPTO (11-01)  
OMB 0651-0032  
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE  
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.**FEE TRANSMITTAL  
for FY 2002**

Patent fees are subject to annual revision.

**Complete if Known**

|                      |                      |
|----------------------|----------------------|
| Application Number   | 10/070,929           |
| Filing Date          | March 8, 2002        |
| First Named Inventor | Rares-Vasile Salomir |
| Examiner Name        |                      |
| Group/Art Unit       |                      |
| Attorney Docket No.  | 15675p393            |

☐ Applicant claims small entity status. See 37 CFR 1.27.

TOTAL AMOUNT OF PAYMENT (\$) 170.00

**METHOD OF PAYMENT (check one)**☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None  
☐ Deposit Account

Deposit Account Number 02-2666

Deposit Account Name Blakely, Sokoloff, Taylor &amp; Zafman LLP

The Commissioner is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments  
☐ Charge any additional fee(s) required under 37 CFR §§ 1.16, 1.17, 1.18 and 1.20.  
☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account**FEE CALCULATION****1. BASIC FILING FEE**

| Large Entity |          | Small Entity |          | Fee Description        | Fee Paid |
|--------------|----------|--------------|----------|------------------------|----------|
| Fee Code     | Fee (\$) | Fee Code     | Fee (\$) |                        |          |
| 101          | 740      | 201          | 370      | Utility filing fee     |          |
| 106          | 330      | 206          | 165      | Design filing fee      |          |
| 107          | 510      | 207          | 255      | Plant filing fee       |          |
| 108          | 740      | 208          | 370      | Reissue filing fee     |          |
| 114          | 160      | 214          | 80       | Provisional filing fee |          |
| SUBTOTAL (1) |          |              |          |                        | (\$)     |

**2. EXTRA CLAIM FEES**

|                    |   |              |  |                |  |          |  |
|--------------------|---|--------------|--|----------------|--|----------|--|
| Total Claims       | 6 | Extra Claims |  | Fee from below |  | Fee Paid |  |
| Independent Claims | 1 |              |  |                |  |          |  |
| Multiple Dependent |   |              |  |                |  |          |  |

| Large Entity |          | Small Entity |          | Fee Description   | Fee Paid |
|--------------|----------|--------------|----------|---|----------|
| Fee Code     | Fee (\$) | Fee Code     | Fee (\$) |   |          |
| 103          | 18       | 203          | 9        | Claims in excess of 20                                    |          |
| 102          | 84       | 202          | 42       | Independent claims in excess of 3                         |          |
| 104          | 280      | 204          | 140      | Multiple Dependent claim, if not paid                     |          |
| 109          | 84       | 209          | 42       | **Reissue independent claims over original patent         |          |
| 110          | 18       | 210          | 9        | **Reissue claims in excess of 20 and over original patent |          |
| SUBTOTAL (2) |          |              |          |   | (\$)     |

\*\*or number previously paid, if greater, For Reissues, see below

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

| Large Entity        |          | Small Entity |          | Fee Description  | Fee Paid |
|---------------------|----------|--------------|----------|--|----------|
| Fee Code            | Fee (\$) | Fee Code     | Fee (\$) |  |          |
| 105                 | 130      | 205          | 65       | Surcharge - late filing fee or oath  | 130.00   |
| 127                 | 50       | 227          | 25       | Surcharge - late provisional filing fee or cover sheet                     |          |
| 139                 | 130      | 139          | 130      | Non-English specification  |          |
| 147                 | 2,520    | 147          | 2,520    | For filing a request for <i>ex parte</i> reexamination                     |          |
| 112                 | 920 *    | 112          | 920 *    | Requesting publication of SIR prior to Examiner action                     |          |
| 113                 | 1,840 *  | 113          | 1,840 *  | Requesting publication of SIR after Examiner action                        |          |
| 115                 | 110      | 215          | 55       | Extension for reply within first month                                     |          |
| 116                 | 400      | 216          | 200      | Extension for reply within second month                                    |          |
| 117                 | 920      | 217          | 460      | Extension for reply within third month                                     |          |
| 118                 | 1,440    | 218          | 720      | Extension for reply within fourth month                                    |          |
| 128                 | 1,960    | 228          | 980      | Extension for reply within fifth month                                     |          |
| 119                 | 320      | 219          | 160      | Notice of Appeal   |          |
| 120                 | 320      | 220          | 160      | Filing a brief in support of an appeal                                     |          |
| 121                 | 280      | 221          | 140      | Request for oral hearing   |          |
| 138                 | 1,510    | 138          | 1,510    | Petition to institute a public use proceeding                              |          |
| 140                 | 110      | 240          | 55       | Petition to revive - unavoidable   |          |
| 141                 | 1,280    | 241          | 640      | Petition to revive - unintentional   |          |
| 142                 | 1,280    | 242          | 640      | Utility issue fee (or reissue)   |          |
| 143                 | 460      | 243          | 230      | Design issue fee   |          |
| 144                 | 620      | 244          | 310      | Plant issue fee  |          |
| 122                 | 130      | 122          | 130      | Petitions to the Commissioner  |          |
| 123                 | 50       | 123          | 50       | Processing fee under 37 CFR 1.17(q)  |          |
| 126                 | 180      | 126          | 180      | Submission of Information Disclosure Stmt                                  |          |
| 581                 | 40       | 581          | 40       | Recording each patent assignment per property (times number of properties) | 40.00    |
| 146                 | 740      | 246          | 370      | Filing a submission after final rejection (37 CFR § 1.129(a))              |          |
| 149                 | 740      | 249          | 370      | For each additional invention to be examined (37 CFR § 1.129(b))           |          |
| 179                 | 740      | 279          | 370      | Request for Continued Examination (RCE)                                    |          |
| 169                 | 900      | 169          | 900      | Request for expedited examination of a design application                  |          |
| Other fee (specify) |          |              |          |  |          |

\* Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 170.00

**SUBMITTED BY****Complete (if applicable)**

|                   |               |                                   |        |           |                |
|-------------------|---------------|-----------------------------------|--------|-----------|----------------|
| Name (Print/Type) | Eric S. Hyman | Registration No. (Attorney/Agent) | 30,139 | Telephone | (310) 207-3800 |
| Signature         |               | Date                              | 5/1/02 |           |                |

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2039.**

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



Rec'd PCT/PTO 26 JUN 2002

10/070929

PTO/SB/17 (11-01)

Approved for use through 10/31/2002. OMB 0651-0032

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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**FREE TRANSMITTAL**  
**for FY 2002**

Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27.**TOTAL AMOUNT OF PAYMENT** (\$) 170.00**Complete if Known**

|                      |                      |
|----------------------|----------------------|
| Application Number   | 10/070,929           |
| Filing Date          | March 8, 2002        |
| First Named Inventor | Rares-Vasile Salomir |
| Examiner Name        |                      |
| Group/Art Unit       |                      |
| Attorney Docket No.  | 15675p393            |

**METHOD OF PAYMENT (check one)**☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None  
☐ Deposit Account

Deposit Account Number

02-2666

Deposit Account Name

Blakely, Sokoloff, Taylor &amp; Zafman LLP

The Commissioner is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments  
☐ Charge any additional fee(s) required under 37 CFR §§ 1.16, 1.17, 1.18 and 1.20.  
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**2. EXTRA CLAIM FEES**

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\*\*or number previously paid, if greater, For Reissues, see below

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

| Large Entity        |          | Small Entity |          | Fee Description  | Fee Paid |
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| 169                 | 900      | 169          | 900      | Request for expedited examination of a design application                  |          |
| Other fee (specify) |          |              |          |  |          |

\* Reduced by Basic Filing Fee Paid

**SUBTOTAL (3)** (\$) 170.00**SUBMITTED BY****Complete (if applicable)**

|                   |               |                                   |        |           |                |
|-------------------|---------------|-----------------------------------|--------|-----------|----------------|
| Name (Print/Type) | Eric S. Hyman | Registration No. (Attorney/Agent) | 30,139 | Telephone | (310) 207-3800 |
| Signature         |               | Date                              | 5/1/02 |           |                |

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DT11 Rec'd PTO JUN 26 2002

10/070929

PTO/SU/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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|   |    |                        |                      |
|---|----|------------------------|----------------------|
| <b>TRANSMITTAL FORM</b><br>(to be used for all correspondence after initial filing) |    | Application No.        | 10/070,929           |
|   |    | Filing Date            | March 8, 2002        |
|   |    | First Named Inventor   | Rares-Vasile Salomir |
|   |    | Group Art Unit         |                      |
|   |    | Examiner Name          |                      |
| Total Number of Pages in This Submission  | 11 | Attorney Docket Number | 15675P393            |

| ENCLOSURES (check all that apply)   |  |   |
|---|--|---|
| <input checked="" type="checkbox"/> Fee Transmittal Form<br><br><input checked="" type="checkbox"/> Fee Attached<br><br><input type="checkbox"/> Amendment / Response<br><br><input type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/declaration(s)<br><br><input type="checkbox"/> Extension of Time Request<br><br><input type="checkbox"/> Express Abandonment Request<br><br><input type="checkbox"/> Information Disclosure Statement<br><br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><br><input type="checkbox"/> Response to Missing Parts/Incomplete Application<br><br><input checked="" type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input checked="" type="checkbox"/> Assignment Papers (for an Application)<br><br><input type="checkbox"/> Drawing(s)<br><br><input type="checkbox"/> Licensing-related Papers<br><br><input type="checkbox"/> Petition<br><br><input type="checkbox"/> Petition to Convert a Provisional Application<br><br><input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address<br><br><input type="checkbox"/> Terminal Disclaimer<br><br><input type="checkbox"/> Request for Refund<br><br><input type="checkbox"/> CD, Number of CD(s)<br><br>Remarks | <input type="checkbox"/> After Allowance Communication to Group<br><br><input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences<br><br><input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)<br><br><input type="checkbox"/> Proprietary Information<br><br><input type="checkbox"/> Status Letter<br><br><input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):<br><div style="border: 1px solid black; padding: 5px; margin-top: 10px;">Declaration and Power of Attorney; Notice to File Missing Parts; return postcard</div> |

| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT |   |
|--|---|
| Firm or Individual name                    | Eric S. Hyman, Reg. No. 30,139<br>BLAKELY, SOKOLOFF TAYLOR & ZAFMAN LLP |
| Signature                                  |   |
| Date                                       | 6/17/02   |

| CERTIFICATE OF MAILING/TRANSMISSION  |               |      |         |
|--|---------------|------|---------|
| I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class mail with sufficient postage in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on: |               |      |         |
| Typed or printed name  | Melissa Stead |      |         |
| Signature  |               | Date | 6-19-02 |

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

Commissioner for Patents, Box PCT  
United States Patent and Trademark Office  
Washington, D.C. 20231  
www.uspto.gov



UNITED STATES PATENT AND TRADEMARK OFFICE

|   |   |                               |
|---|---|-------------------------------|
| U.S. APPLICATION NUMBER NO.<br>10/070,929 | FIRST NAMED APPLICANT<br>Rares Vasile Salomir | ATTY. DOCKET NO.<br>15675p393 |
|---|---|-------------------------------|

|   |
|---|
| INTERNATIONAL APPLICATION NO.<br>PCT/FR00/02506 |
|---|

|                                |                             |
|--------------------------------|-----------------------------|
| I.A. FILING DATE<br>09/12/2000 | PRIORITY DATE<br>09/13/1999 |
|--------------------------------|-----------------------------|

CONFIRMATION NO. 4689

371 FORMALITIES LETTER



\*OC000000008227593\*

Eric S Hyman  
Blakely Sokoloff Taylor & Zafman  
12400 Wilshire Blvd 7th Floor  
Los Angeles, CA 90025-1026

RECEIVED  
JUN 14 2002

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN  
LOS ANGELES

Date Mailed: 06/07/2002

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fees
- Priority Document
- Copy of IPE Report
- Copy of references cited in ISR
- Copy of the International Application
- Copy of the International Search Report
- English Translation of the IA

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- \$130 Surcharge for providing the oath or declaration later than the appropriate 30 months from the priority date (37 CFR 1.492(e)) is required.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTH FROM THE DATE OF THIS NOTICE OR BY 22 or 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$130** for a Large Entity:

- **\$130** Late oath or declaration Surcharge.

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

JOHN L ANDERSON

Telephone: (703) 308-9116

PART 1 - ATTORNEY/APPLICANT COPY

| U.S. APPLICATION NUMBER NO. | INTERNATIONAL APPLICATION NO. | ATTY. DOCKET NO. |
|-----------------------------|-------------------------------|------------------|
| 10/070,929                  | PCT/FR00/02506                | 15675p393        |

FORM PCT/DO/EO/905 (371 Formalities Notice)

07/02/2002 SNAJARRD 00000129 10070929

01 FC:154

130.00 OP

Due date 8/7/2002 Client Name **MARTIN SCHRIMPF**  
**WARCOIN AHNER**  
 Docket Initial C 15675 . P393  
 Dock. Sup. Initial ASH ESH  
 Atty/Initial \_\_\_\_\_  
 Pat/Ser/Reg 070,929

53 x

Description  
 Response due notice of missing requirements of application.

Cleto Cadano

6/14/2002